HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.3284 of 2007

Dated:08.03.2007

Between:

P.Tanya

…Petitioner

And:

The Superintendent of Police, East
Godavari District at Kakinada.

…Respondent

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.3284 of 2007

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.Varma)**

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondent.

2. This writ petition is taken up on the basis of a 'telegram', dated 09.02.2007, by one P.Tanya, State Secretary, C.P.I., MLND, Andhra Pradesh, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh,

Hyderabad, alleging that on 08.02.2007, at about 9 p.m., the squad, Devipatnam Police, East Godavari District, took away two persons by name Batchela Lakshmayya @ Ramesh and J.Suresh and detained them illegally, and that she is apprehending danger to their lives.

3. In response to the notice, issued by this Court, the Superintendent of Police, East Godavari District at Kakinada, filed counter-affidavit stating, *inter alia,* that the alleged detenus are figured as Accused Nos.1 and 2 in Crime No.22 of 2007 of Rampachodavaram Police Station for the offences punishable under Section 25 (1) (B) (a) of Indian Arms Act and Sections 384 and 307 of the Indian Penal Code; that in that connection they were arrested on 09.02.2007 at 8.30 p.m., and were produced before the Additional Judicial First Class Magistrate, Rajahmundry, on 10.02.2007, and on the same day, they were remanded to judicial custody, by virtue of which they are lodged at present in Central Prison, Rajahmundry.

4. In view of the aforesaid facts stated in the counter-affidavit, we find no truth in the allegations levelled by the petitioner in the said telegram and, accordingly, no intervention by this Court is warranted in the present case.

5. For the foregoing, the writ petition fails and is liable to be closed.

6. In the result, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

D.S.R.VARMA, J

D.APPA RAO, J

08.03.2007
dr